

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

United States of America,	)	C/A NO. 3:13-2624-CMC-SVH
	)	
Plaintiff,	)	
	)	<b>ORDER</b>
v.	)	
	)	
\$795,652.33 in funds seized from	)	
Account xxxxxx1607 with East West	)	
Bank, in the name of LC Lucky, Inc.,	)	
	)	
<i>In Rem</i> Defendant #1;	)	
	)	
\$12,096.84 in funds seized from	)	
Account xxxx2821 with East West	)	
Bank, in the name of SDW USA, Inc.,	)	
d/b/a SDW USA Lease Car, Inc.,	)	
	)	
<i>In Rem</i> Defendant #2;	)	
	)	
\$23,230.28 in funds seized from	)	
Account xxxxxx1881 with East West	)	
Bank, in the name of JHC Trading, Inc.,	)	
	)	
<i>In Rem</i> Defendant #3; and,	)	
	)	
\$1,590,230.66 in funds seized from	)	
Account xxxxxx1344 with Capitol	)	
One Bank, in the name of ABC	)	
Motorsports, LLC,	)	
	)	
<i>In Rem</i> Defendant #4,	)	
	)	
Defendants.	)	
	)	

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This matter is before the court on the verified *in rem* complaint of the United States seeking civil forfeiture of seized assets in four (4) bank accounts. 18 U.S.C. §§ 981(a)(1)(A) and (a)(1)(C).

In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02 (B)(2)(e), DSC, this matter was referred to United States Magistrate Judge Shiva V. Hodges for pre-trial proceedings and a Report and Recommendation (“Report”). On October 2, 2014, the Magistrate Judge issued a Report recommending that the claims of James Ho Chen and Jie Hu be stricken and that these Claimants be stricken from the docket of this matter as individual claimants. Report, ECF No. 96. The Magistrate Judge advised all parties of the procedures and requirements for filing objections to the Report and the serious consequences if they failed to do so.<sup>1</sup> No objections to the Report have been filed and the time for doing so has expired.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the court. *See Mathews v. Weber*, 423 U.S. 261 (1976). The court is charged with making a *de novo* determination of any portion of the Report of the Magistrate Judge to which a specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or recommit the matter to the Magistrate Judge with instructions. *See* 28 U.S.C. § 636(b). The court reviews the Report only for clear error in the absence of an objection. *See Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that “in the absence of a timely filed objection, a district court need not conduct a *de novo* review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”) (citation omitted).

After reviewing the record of this matter, the applicable law, and the Report and Recommendation of the Magistrate Judge, the court agrees with the conclusions of the Magistrate

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<sup>1</sup>The Report was mailed to Chen and Hu individually.

Judge. Accordingly, the court adopts and incorporates the Report and Recommendation by reference in this Order.

The claims of James Ho Chen and Jie Hu, proceeding as individuals *pro se*, are stricken from the docket of this matter.

**IT IS SO ORDERED.**

s/ Cameron McGowan Currie  
CAMERON MCGOWAN CURRIE  
SENIOR UNITED STATES DISTRICT JUDGE

Columbia, South Carolina  
November 17, 2014